

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ARLENE ALITTO,)	
)	
Plaintiff,)	
)	
vs.)	No. 15-cv-9922
)	
AMERICAN BLUE RIBBON HOLDINGS, LLC)	
d/b/a BAKER'S SQUARE, FIDELITY)	
NATIONAL FINANCIAL, INC, and FIDELITY)	
NEWPORT HOLDINGS, LLC)	
)	
Defendants.)	

DEFENDANTS' NOTICE OF REMOVAL PURSUANT TO 28 U.S.C. § 1446

Defendants, AMERICAN BLUE RIBBON HOLDINGS, LLC d/b/a BAKERS SQUARE ("ABRH"), FIDELITY NATIONAL FINANCIAL, INC. ("FNF"), and FIDELITY NEWPORT HOLDINGS, LLC ("FNH"), pursuant to 28 U.S.C. § 1446 and the Local Rules of the United States District Court for the Northern District of Illinois, notifies this Honorable Court that the above-entitled cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, to the United States District Court for the Northern District of Illinois, Eastern Division, and in support of said notice, states as follows:

1. On October 2, 2015, Plaintiff filed her complaint in the Circuit Court of Cook County, Illinois, Law Division, against ABRH, FNF and FNH seeking damages for personal injuries allegedly sustained by her when she tripped and fell on an uneven section of sidewalk at the Bakers Square restaurant located in Palatine, Cook County, Illinois on October 12, 2013. Plaintiff's Complaint alleges that the accident was caused by ABRH's, FNF's and/or FNH's negligent maintenance of the premises in question. *See* Plaintiff's Complaint at Law attached as Exhibit A.

2. The Defendants' registered agent was served with Plaintiff's Summons and Complaint on October 7, 2015. *See* Service of Process Transmittal, attached as Exhibit B.

3. To date, the defendants have not filed their responsive pleadings to Plaintiff's Complaint.

4. Upon information and belief, Plaintiff is a resident of Illinois with her principal place of abode in West Dundee, Kane County, Illinois.

5. ABRH is a limited liability company organized under the laws of Delaware with its principal place of business in Tennessee. *See* S. Cavezza Affidavit, attached as Exhibit C.

6. None of ABRH's members are incorporated in Illinois, reside in Illinois, or have their principal places of business in Illinois. *Id.*

7. FNF is a corporation organized under the laws of Delaware with its principal place of business in Florida. *Id.*

8. FNH is a limited liability company organized under the laws of Delaware and is the sole member of ABRH. None of FNH's members are incorporated in Illinois, reside in Illinois, or have their principal places of business in Illinois.

9. Furthermore, prior to filing this lawsuit, Plaintiff made a settlement demand to Defendants of \$125,000. Therefore, as a result of the accident, and upon information and belief, Plaintiff will be seeking damages in excess of \$75,000.

10. Consequently, proper diversity of citizenship exists between the parties as required under 28 U.S.C. § 1332, and the amount in controversy in this case exceeds the jurisdictional limit of \$75,000.00, exclusive of interest and costs.

11. The requisite elements of jurisdiction have been satisfied and diversity of the parties exists which entitles Defendants to remove this action to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §§ 1332 and 1446.

WHEREFORE, Defendants, AMERICAN BLUE RIBBON HOLDINGS, LLC d/b/a BAKERS SQUARE, FIDELITY NATIONAL FINANCIAL, INC., and FIDELITY NEWPORT HOLDINGS, LLC, notifies this Court that this cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to the provisions of 28 U.S.C. § 1446 and the Local Rules of the United States District Court of the Northern District of Illinois.

Respectfully submitted,

**AMERICAN BLUE RIBBON HOLDINGS, LLC
d/b/a BAKERS SQUARE, FIDELITY NATIONAL
FINANCIAL, INC., and FIDELITY NEWPORT
HOLDINGS, LLC**

By: /s/ John C. Stiglich

One of their attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that a true and correct copy of the above and foregoing instrument was served on the following counsel:

Counsel for Plaintiff

Telly Liapes
Ainkin Law Office, LLC
162 W. Grand Ave
Chicago, IL 60654

by placing same in properly addressed, stamped envelopes with proper postage prepaid and deposited same in the U.S. Mail Chute at 55 W. Monroe Street, Chicago, IL 60603 on November ___, 2015 on or before the hour of 5:00 p.m.

/s/ John C. Stiglich